

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

 ORIGINAL

Re: Dubose v. Walsh, et al.: Civ. No. 07-45-***-LPS

Scheduling Conference/Order

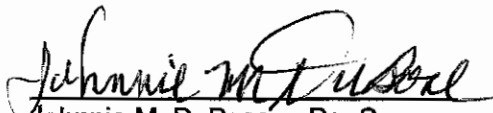
Dear Honorable Leonard Stark

I participated in a scheduling conference by telephone October 21, 2007 the result of that teleconference was the courts denial of my motion for default judgment filed March 2007. The courts order of denial was dated October 25, 2007 and the only comment on the denial was "For reasons set forth by the court during the October 24th 2007 teleconference." I understand that I have a right to appeal a magistrates order directly to the Third Circuit Court of Appeals, but the court failed to address and respond to my motion point for point and on its merits.

As a result my confusion, I filed a "Motion for Reconsideration Motion for Default Judgment on October 29, 2007." In this attempt to obtain clarity, I pointed out that, "The court held a teleconference in which defendant American Business Credit did not participate and have elected not to answer nor defend my complaint."

Now it stands out that your honor does not list defendant American Business Credit Inc as an addressee in your cover letter with attached proposed scheduling order

I recognize that, as a Pro Se complainant, I am at a somewhat disadvantage; but according to the Federal Rules of Civil Procedure I am entitled to my Default Judgment against defendants, as a matter of law. If the court is not going to enforce its own rules, and the rules will only be enforced and followed when it benefits only defendants, how can citizens obtain justice guaranteed by the United States Constitution? I strongly oppose any scheduling order until these matters are adequately addressed by the court


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FILED
CLERK, U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2008 JAN 28 AM 9:23

CERTIFICATE OF SERVICE

I, hereby certify that on January 28, 2008, I caused to be delivered by first class mail (2) copies of the attached response to proposed scheduling order

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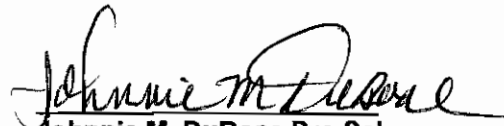
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